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10 Attorney for Debtors

11 **UNITED STATES BANKRUPTCY COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **In re:**

14 **BALDEV BABBAR and
15 KAILASH BABBAR,**

16 **CASE NO. 10-71963 RLE13
17 Chapter 13**

18 **MOTION TO DISCUSS AND APPROVE
19 ENTRY INTO A LOAN MODIFICATION OF
20 EXISTING MORTGAGE**

21 **Debtors.**

22 /

23 1. The Debtors, BALDEV BABBAR and KAILASH BABBAR, are the
24 petitioners and the Debtors in a Chapter 13 bankruptcy case, which was filed on October 18,
25 2010 and confirmed on January 26, 2011.

1. The Debtors, BALDEV BABBAR and KAILASH BABBAR, herein seek by
2. and through their attorney of record, STEVEN JACOBS, ESQ., Court approval to discuss the
3. terms of and enter into a loan modification of their first mortgage securing Debtors' residence
4. located at 116 Oakcrest Ct., Danville, CA 94526 (hereinafter referred to as "property"). This
5. is not an approval of the terms of any loan modification, but only approval to discuss the terms
6. of and enter into a loan modification.

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1 3. The property is encumbered by a first deed of trust held by Wachovia
2 Mortgage, Account No. 0046731394. Attached hereto as Exhibit A is a copy of the proposed
3 modification.

4 4. The loan modification will not alter or affect the status or priority of any
5 other existing lien(s) on the real property.

6 5. Upon finalization of the loan modification, Wachovia Mortgage must
7 either file an amended proof of claim or withdraw their filed proof of claim within 30 days of the
8 closing of the loan modification transaction.

9 6. The Debtors have not been required to pay any additional upfront
10 attorney fees to submit this request to discuss and enter into a loan modification with their
11 lender.

12 WHEREFORE, the Debtors request that they be allowed to discuss the terms
13 of and enter into a modification of the terms of their existing secured mortgage with Wachovia
14 Mortgage for the real property located at 116 Oakcrest Ct., Danville, CA 94526, County of
15 Contra Costa, and for such other and further relief as the Court Deems just and proper.

16 Dated: June 7, 2011

17 **/s/ Steven Jacobs**

18 Steven Jacobs
19 Attorney for Debtors